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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,928	02/14/2002	Jo Wen Chang	2832-0150P	5327

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EXAMINER

PHAM, MINH CHAU THI

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,928

Applicant(s)

CHANG ET AL.

Examiner

Minh-Chau T. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,6-10 and 12-21 is/are rejected.
- 7) ☒ Claim(s) 2-5, 11 and 22-25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 6-10, 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over any one of Everetts et al (10, 18, 20 & 24 in Fig. 1; 20 & 34 in Fig. 2; 50, 52, 54 & 56 in Fig. 3; col. 2, line 37 through col. 3, line 23), Miller (6,332,308 B1; 10 & 20 in Fig. 1; 46 & 50 in Fig. 2; 20, 32 & 34 in Fig. 3; 38 & 40 in Fig. 4; col. 4, lines 46-66; col. 5, lines 2-27) and Mai (6,444,002 B1; 14, 20, 22, 24, 30, 36 & 54 in Fig. 1; col. 2, line 46 through col. 3, line 50).

Any one of Everetts et al, Miller and Mai discloses a personal air cleaning apparatus comprising a sucking unit having a suction port for sucking contaminated air and a discharge port for discharging filtered air, a filter, a conduit for connecting the

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sucking unit to a filter, a conduit being a flexible hose adapted to be bent without being folded while fixing the position of the sucking unit so that the sucking unit is adjustable in orientation and height by the flexible hose wherein a portion of the conduit has a diameter smaller than a portion of the sucking port, a blower connected to the discharge port, a motor driving the suction section of the blower and the blower sucking contaminated air through a filter. Both Everetts et al and Miller disclose the sucking port having a branched tube structure so that it allows a plurality of sucking units to be simultaneously connected thereto. Everetts et al further disclose a base of the air cleaning apparatus can be mounted via the base with hinge or nut and bolt members. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide an air cleaning apparatus as taught by any one of Everetts et al, Miller or Mai to provide an air filtration device that can concentrate its suction in places where the particulates in laden air or fumes are being produced and thus effectively clean the dirt laden air.

Allowable Subject Matter

3. Claims 2-5, 11 and 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: None of the prior arts discloses a discharged guide formed with a discharge port arranged around the suction guide while being spaced apart from the suction guide

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by a desired gap to guide a flow of discharged air while having a shape similar of that of the suction guide.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Grunder et al (4,023,472) disclose an apparatus for producing a laminar flow.
- Eckstein et al (4,045,192) disclose a mobile filtering apparatus.
- Conrad (4,756,728) disclose an air filtering device.
- Smith (6,395,047 B1) discloses a portable airborne contamination unit.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (703) 308-1605. The examiner can normally be reached on Mon/Tues/Thus/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (703) 308-1261. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

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A handwritten signature in black ink, appearing to read 'Minh-Chau Pham', written in a cursive style.

Minh-Chau Pham

August 15, 2003